

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Roderick Eldmon House

Docket No. 5:06-CR-3-1

Petition for Action on Supervised Release

COMES NOW Bentley H. Massey, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Roderick Eldmon House, who, upon an earlier plea of guilty to Escape, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on June 6, 2006, to the custody of the Bureau of Prisons for a term of 13 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Roderick Eldmon House was released from custody on April 11, 2008, at which time the term of supervised release commenced. He is currently being supervised by U.S. Probation Officer David T. Brewer of the Middle District of North Carolina who has requested the following modification along with transfer of jurisdiction.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 14, 2008, House was arrested by the North Carolina Highway Patrol in Troy, North Carolina, for Driving While Impaired and Speeding. Arrest records indicate House's blood alcohol content was .09. The case (08CR50715) is pending in Montgomery County District Court.

On June 2, 2008, House was arrested by the North Carolina Highway Patrol in Asheboro, North Carolina, for Driving While License Revoked. The case (08CR703877) is pending in Randolph County District Court.

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House failed to notify the probation officer of these two arrests within 72 hours.

On June 2 and July 11, 2008, House submitted urine screens that returned positive for marijuana. He signed written admissions acknowledging the use of illegal drugs and was placed in substance abuse counseling/treatment. House is currently unemployed and has been referred to the Joblinks Career Center in Asheboro, North Carolina.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall cooperatively participate in a program of the Residential Re-Entry Center until discharged by the center director and/or probation officer, but no later than 180 days from admission.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Bentley H. Massey
Bentley H. Massey
Senior U.S. Probation Officer
1760 Parkwood Blvd., Room 201
Wilson, NC 27893-3564
Phone: (252) 237-0788
Executed On: July 16, 2008

ORDER OF COURT

Considered and ordered this 22 day of July, 2008, and ordered filed and made a part of the records in the above case.



James C. Dever III
U.S. District Judge